STATE OF ARIZONA FILED

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#### STATE OF ARIZONA

## **DEPARTMENT OF INSURANCE**

DEPT OF INSURANCE

In the Matter of:	)
CARVAJAL, LOURDES JULIETA	) No. 10A-099-INS
(License number #938029) (NPN #13105178)	) CONSENT ORDER
(147 14 17 10 100 17 0)	) Hearing 10/20/10, 8:00 a.m. ) ALJ Lewis Kowal
Respondent	) ALJ Lewis Nowai

The State of Arizona Department of Insurance ("Department") has received evidence that Lourdes Julieta Carvajal has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

### **FINDINGS OF FACT**

- 1. Lourdes Julieta Carvajal ("Respondent") is, and was at all material times licensed as a resident life and variable life/variable annuities producer, Arizona license number 938029 which expires March 31, 2012.
- 2. Respondent's mailing, business and residence addresses of record with the Department are: c/o Chase Insurance, 1545 N. Dysart Rd., Avondale, Arizona 85323 (business and mailing as of April 26, 2010); 8092 W. Paradise Lane, #1032, Peoria, Arizona 85382 (residence).
- 3. On or about February 13, 2009, the Department issued to Respondent an insurance license as a resident life and variable life/variable annuities producer, Arizona license number 938029. At that time, Respondent listed her business/mailing address of record as: c/o Chase Insurance, 5041 N. 16th St., Floor 1, Phoenix, Arizona 85016.
- 4. On July 29, 2009, the Department notified Respondent by mail at her business/mailing address of record that her fingerprint card had been processed and returned by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a

replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before August 28, 2009.

- 5. On November 24, 2009, the Department notified Respondent a second time by mail at her residence address of record that it was about to initiate an administrative action against her license for failure to comply with the fingerprint requirement. The Department requested a response by December 31, 2009.
- 6. To date, Respondent has not submitted a full set of fingerprints to the Department.

#### CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(F)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 4. Respondent's conduct as described above constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S.§20-295(A)(2).
- 5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A) and (F).

#### **ORDER**

#### IT IS HEREBY ORDERED THAT:

- 1. Respondent shall immediately submit to the Department a full set of fingerprints and an Illegible Fingerprint Replacement Form.
- Respondent shall immediately pay to the Department a civil money penalty in the amount of \$250.00.

3. The hearing, Docket #10A-099-INS, scheduled for October 20, 2010, at 8:00 a.m. is vacated.

DATED AND EFFECTIVE this 19th day of 10 tober, 2010.

James Manky Dearty Dioctor
CHRISTINA URIAS
Director of Insurance

# CONSENT TO ORDER

- 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits to the jurisdiction of the Director of Insurance, State of
   Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
   Conclusions of Law and Order.
- 3. Respondent is aware of her right to notice and a hearing at which she may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives her right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to her to induce her to enter into this Consent Order and that she has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against her and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future not related to this matter.

1	6. Respondent acknowledges that this Consent Order is an administrative action
2	that the Department will report to the National Association of Insurance Commissioners
3	(NAIC). Respondent further acknowledges that she must report this administrative action to
4	any and all states in which she holds an insurance license and must disclose this
5	administrative action on any license application.
6	10-19-10  Data  Data  Data
7	Date Lourdes Julieta Carvajal, Arizona License #938029
8	COPIES of the foregoing mailed/delivered
9	this 19th day of October, 2010, to:
10	Lourdes Julieta Carvajal 8092 W. Paradise Lane, #1032
11	Peoria, Arizona 85382 Respondent
12	Mary E. Kosinski, Exec. Assistant for Regulatory Affairs
13	Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor
14	Department of Insurance 2910 North 44 <sup>th</sup> Street, Suite 210
15	Phoenix, Arizona 85018
16	Lewis Kowal, Administrative Law Judge Office of Administrative Hearings 1400 West Washington, Suite 101
17	Phoenix, AZ 85007
18	Currey Burton
19	Curvey Walters Burton
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